IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

And
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 18095 of 2004

Between:

R.C.C.(Sales) Private Limited, Kaushalya Nagar, Plot No.2 & 2B,
Phase-IV, I.D.A.Jeedimetla, Hyderabad, rep., by its Director Sri V.K.Tripathi

..... PETITIONER

AND

1 Commercial Tax Officer, Jeedimetla Circle, IInd Floor,
Gaganvihar, Nampally, Hyderabad.
2 HDFC Bank, Lakadikapul Branch, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction more particularly in the nature of writ of mandamus, declaring G.O.Ms.No.354 dt.29-05-2001 as ultravires to proviso to Rule 12(7) of CST (R&T) Rules, 1957 and accordingly set aside the same, (ii) set aside the Endorsement dt.03-09-2004 issued by the Commercial Tax Officer, the respondent

No.1 herein and direct the Commercial Tax Officer to receive the C-Forms and F-Forms filed by the petitioner along with letter dt.22-07-2004 and dispose of the same in terms of proviso to Rule 12(7) of the CST (R&T) Rules and (iii) declare the garnishee notice dt.28-09-2004 issued by respondent No.1 to respondent No.2 as illegal and inoperative and set aside the same.

Counsel for the Petitioner: MR.M.VIJAYA SARATHI REDDY

Counsel for the Respondent Nos.1 & 2: SPECIAL GP FOR COMMERCIAL TAXES

The Court, at the stage of admission, made the following:

ORAL ORDER: (Per: The Hon'ble Mr. Justice Bilal Nazki)

Learned counsel for the petitioner submits that the petitioner seeks permission to withdraw the writ petition with liberty to pursue other remedies available under law. Permission accorded.

Accordingly, the writ petition is dismissed as 'withdrawn' granting liberty to the petitioner to pursue other remedies available under law. No costs.

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BILAL NAZKI, J

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S. ANANDA REDDY, J

Dt. 08-11-2004

Pvks/*

To

1 Commercial Tax Officer, Jeedimetla Circle, IInd Floor,
Gaganvihar, Nampally, Hyderabad.
2 HDFC Bank, Lakadikapul Branch, Hyderabad.

3.2CCs to the Special Government Pleader for Taxes, A.P. High Court Buildings, Hyderabad (OUT).

4.2CD copies

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